

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 66)

Date of mailing
(day/month/year)

18-02-2004

Applicant's or agent's file reference

NM5212

REPLY DUE

within 60 days from
the above date of mailing

International application No.

PCT/IB 2002/001384

International filing date (day/month/year)

25.04.2002

Priority date (day/month/year)

-

International Patent Classification (IPC) or both national classification and IPC

H04Q 7/38, H04M 15/00, H04M 17/00

Applicant

Nokia Corporation et al

1. ☐ The written opinion established by the International Searching Authority:
☐ is ☐ is not
considered to be a written opinion of the International Preliminary Examining Authority.
2. This _____ (first, etc.) opinion contains indications relating to the following items:
 - ☒ Box No. I Basis of the opinion
 - ☐ Box No. II Priority
 - ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
 - ☐ Box No. VII Certain defects in the international application
 - ☒ Box No. VIII Certain observations on the international application
3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is: 25.08.2004

Name and mailing address of the IPEA/SE

Patent- och registreringsverket

Box 5055

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Authorized officer

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WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

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Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this opinion has been established on the basis of *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed.")*:

☒ the international application as originally filed/furnished

☐ the description:

pages _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ the claims:

pages _____ as originally filed/furnished

pages _____ as amended (together with any statement) under Article 19

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ the drawings:

pages _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

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Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos. 29-30, 33-35

because:

☐ the said international application, or the said claims Nos. _____
relate to the following subject matter which does not require an international preliminary examination (*specify*):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. _____
are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. _____ are so inadequately supported
by the description that no meaningful opinion could be formed.

☐ no international search report has been established for said claims Nos. _____

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the
Administrative Instructions in that:

the written form

☐

has not been furnished

☐

does not comply with the standard

the computer readable form

☐

has not been furnished

☐

does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with
the technical requirements provided for in the Annex C-bis of the Administrative Instructions.

☐ See Supplemental Box for further details.

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Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1, 25</u>
	Claims	
Inventive step (IS)	Claims	<u>1-28, 31-32, 36-39</u>
	Claims	
Industrial applicability (IA)	Claims	
	Claims	

2. Citations and explanations:

Reference is made to the following document:

D1) US2001024950

The claimed invention relates to the method and network system for charging an account related to a terminal device of a subscriber to a first data network session rendered to the terminal device when roaming in a second data network. The claimed invention solves the problem of complicated online charging of roaming network subscribers.

D1 is considered the closest prior art and relates to a method of routing Call Detail Records (CDRs) for a subscriber from a foreign network to a home network whilst the subscriber is roaming in the foreign network. D1 solves the problem of charging when it is too complicated and takes too long before the CDRs are forwarded on to the home network. D1 solves the problem by routing CDRs for a subscriber from a serving exchange (a mobile switching centre, MSC) to a billing system.

The invention according to D1 include the following steps:

- registrates the terminal device (the mobile subscriber) with the second network (the foreign network, see paragraph 0006 in D1);
- transmits a network address of a charging system related to said first network from the first network to the second network (a billing system address is coupled to the first network, paragraph 0008);
- establishes a network session for the terminal device by the second data network;
- assesses in the second data network first charge information about the network session (see paragraph 009);

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

- transmits assessed charge information from the second data network to the network address of the first charging system (it transfers info of CDRs to the billing system address, see paragraph 0010);
- calculates a charge for the network session at the first charging system using incoming first charge information (see paragraph 0037).

Consequently, what is described in D1 corresponds to what is described in claims 1 and 25 and therefore the subject-matter of claims 1 and 25 lacks novelty.

What is described in the dependent claims 2-24, 26-28, 31-32 36-39 comprises only technical details about charging and is obvious for a person skilled in the art. Thus, the subject-matter of claims 2-24, 26-28, 36-39 does not involve an inventive step.

Claims shall be clear and concise. They shall be fully supported by the description, see Article 6. The claimed invention according to claims 29, 30, 33-35 does not clearly describe how the balance information is transformed and what it is transformed into. Therefore, no meaningful international search could be carried out on the claimed invention according to claims 29, 30, 33-35.

Consequently, the subject-matter of claims 1 and 25 lacks novelty and the subject-matter of claims 1-28, 31-32, 36-39 does not involve an inventive step.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claims shall be clear and concise. They shall be fully supported by the description, see Article 6. The claimed invention according to claims 29, 30, 33-35 does not clearly describe how the balance information is transformed and what it is transformed into. Therefore, no meaningful international search could be carried out on the claimed invention according to claims 29, 30, 33-35.